

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA**

**Roanoke**

ORLANDO LEE TRENT, #1007485/185492  
a.k.a KEVIN JOHNSON,

Petitioner,

v.

CIVIL ACTION NO. 7:10-cv-00415

TRACY S. RAY,

Respondent.

**RULE 5 ANSWER AND MOTION TO DISMISS**

COMES NOW the Respondent Tracy S. Ray, by counsel, pursuant to Rule 5 of the *Rules Governing Section 2254 Cases*, and respectfully moves this Honorable Court to dismiss the Petition for Writ of Habeas Corpus for the reasons stated in the Memorandum in Support accompanying this Motion.

Respectfully submitted,

TRACY S. RAY

By: s/ Christopher D. Supino  
Christopher D. Supino, VSB #74225  
Assistant Attorney General  
Public Safety & Enforcement Division  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
(804) 786-5630  
(804) 786-4239 (Fax)  
E-mail: [csupino@oag.state.va.us](mailto:csupino@oag.state.va.us)

**CERTIFICATE OF SERVICE**

I hereby certify that on the 10<sup>th</sup> day of February, 2011, I electronically filed the foregoing Answer and Motion to Dismiss with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: N/A, and I hereby certify that I have mailed by United States Postal Service the documents to the following non-CM/ECF participants: Kevin Johnson, #1007485, Red Onion State Prison, P.O. Box 1900, Pound, Virginia 24279.

s/ Christopher D. Supino  
Christopher D. Supino, VSB #74225  
Assistant Attorney General  
Public Safety & Enforcement Division  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
(804) 786-5630  
(804) 786-4239 (Fax)  
E-mail: [csupino@oag.state.va.us](mailto:csupino@oag.state.va.us)